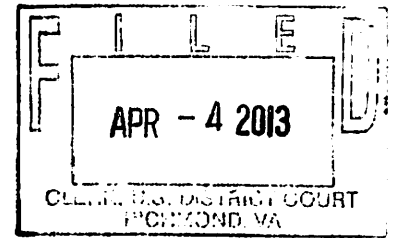


**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**



**TYRONE HENDERSON,  
CHARLES TAYLOR, and  
WILLIAM WILES,**

**Plaintiffs,**

**v.**

**Civil Action No. 3:12cv589 (REP)**

**ACXIOM RISK MITIGATION, INC., *et al.*,**

**Defendants.**

**AGREED SUPPLEMENTAL SCHEDULING ORDER**

Pursuant to Federal Rule of Civil Procedure 26(f), as well as the Court's February 13, 2013 Order, counsel for the parties have conferred to develop a proposed supplemental discovery plan. The parties have agreed upon the discovery plan set forth herein.

The parties will conduct discovery in two phases.

Phase I will include all evidence reasonably necessary for the parties to litigate issues of class certification. In addition, as to Sterling InfoSystems-Ohio, Inc., f/k/a Acxiom Information Security Services, Inc. ("Sterling-OH"), Phase I discovery shall include factual discovery of the named Plaintiffs' claims that Sterling-OH violated the Fair Credit Reporting Act ("FCRA") with respect to the background reports for the named Plaintiffs.

In addition, as to Acxiom Risk Mitigation, Inc., now known as Acxiom Identity Solutions, LLC ("ARM"), and Acxiom Corporation ("Acxiom Corp."), Phase I discovery shall include discovery regarding the collection, processing, transmission, and/or use of the data by ARM and/or Acxiom Corp. that was included in the database of or in background reports prepared by Sterling-OH.

U.S. DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND, VA  
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No party shall have an obligation to create or serve any privilege log in Phase I of this action.

Phase I discovery shall be completed by September 13, 2013. The deadline for the parties to file motions for summary judgment following Phase I shall be October 1, 2013. The deadline for Plaintiffs to move for class certification following Phase I shall be October 1, 2013. Opposition and reply briefs to such motions shall be filed within the timeframes set forth on the next page.

Upon completion of Phase I and disposition of such motions, and to the extent that the case is not thereby dismissed, the Court shall set a supplemental Scheduling Conference. Phase II discovery shall thereafter take place to the extent necessary based upon the Court's rulings on the parties' motions for summary judgment and the Plaintiffs' motion for class certification. Issues reserved for Phase II include any other issues in the case, including any discovery regarding Plaintiffs' claimed actual damages, whether Defendants violated the FCRA with respect to unnamed class members, and any factual issues bearing on whether Defendants' alleged violations of the FCRA were "willful." From the Plaintiffs' perspective, these "willfulness" discovery issues include resources devoted to FCRA compliance efforts, audits undertaken to confirm compliance, and class-wide factual discovery, although Defendants may not necessarily agree with the relevance or discoverability on these issues.

The following deadlines shall apply in Phase I of this case:

<u>Activity</u>	<u>Deadline</u>
Deadline for amending the Complaint	April 18, 2013
Deadline for Parties to serve Fed. R. Civ. P. 26(a)(1) disclosures with respect to the issues subject to discovery in Phase I	April 25, 2013
Deadline for identification of expert witnesses by Plaintiffs.	June 3, 2013
Deadline for identification of expert witnesses by Defendants.	June 24, 2013
Deadline for Phase I expert disclosures by Plaintiffs	July 15, 2013
Deadline for any Phase I expert disclosures by Defendants	July 31, 2013
Deadline for rebuttal expert disclosures	August 15, 2013
Close of Phase I discovery	September 13, 2013
Deadline for parties to file motions for summary judgment based upon Phase I discovery	October 1, 2013
Deadline for Plaintiff to file a motion seeking class certification	October 1, 2013
Deadline for memoranda in opposition to: (a) motions for summary judgment based upon Phase I discovery; and (b) motion seeking class certification	November 1, 2013
Deadline for reply memoranda in support of: (a) motions for summary judgment based upon Phase I discovery; and (b) motion seeking class certification	November 21, 2013
Hearing on: (a) motions for summary judgment; and (b) motion seeking class certification	December 16, 2013 10:00AM

The Court's existing discovery and Scheduling Orders shall continue to govern to the extent not inconsistent with this Supplemental Scheduling Order.

It is further ORDERED that Acxiom Corp.'s and ARM's Motion to Dismiss for Lack of Personal Jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2), or, in the Alternative, for a Transfer of Venue Pursuant to Fed. R. Civ. P. 12(b)(3), 28 U.S.C. § 1406(a) and 28 U.S.C. § 1406(a) is DENIED.

ENTERED THIS 4<sup>th</sup> <sup>REP</sup> ~~MARCH~~ <sup>APRIL</sup> DAY OF 2013.

/s/

REP  
Hon. Robert E. Payne  
Senior United States District Judge

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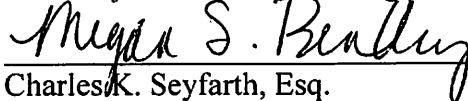
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